

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT CINCINNATI

IN RE:

CASE NO. 18-13896
CHAPTER 13

John Albers

JUDGE Beth A. Buchanan

DEBTOR

OBJECTION TO PROOF OF CLAIM 9-1
FILED BY WILMINGTON SAVINGS
BANK, F.S.B. D/B/A/ CHRISTIANA
TRUST AS TRUSTEE FOR
RESIDENTIAL CREDIT
OPPORTUNITIES TRUST V

Debtor John Albers respectfully object(s) to the Proof of Claim filed by Wilmington Savings Fund Society, FSB, D/B/A Christina Trust as Owner Trustee of the Residential Credit Opportunities Trust V.
See LBR 3007-1.

Information regarding the objection is as follows:

1. NAME AND ADDRESS OF CLAIMANT: Wilmington Savings Fund Society, FSB, D/B/A Christina Trust as Owner Trustee of the Residential Credit Opportunities Trust V, % AMIP Management, 3020 Old Ranch Parkway, Suite 180, Seal Beach, CA 90740
2. ATTORNEY OF RECORD AND ADDRESS: None at this time. Claim was filed by Kristin A. Zilbertstein, The Law Offices of Michelle Ghidotti, 1920 Old Tustin Ave. Santa Ana, CA 92705
3. Date Claim filed: December 24, 2018
4. Clerk Claim No. 9-1
5. GROUNDS FOR OBJECTION:

Debtor objects to the pre-petition fees due of \$13,037.63 as Creditor and Identified Counsel for Creditor who purportedly prepared this Proof of Claim fail to provide a specific transaction history or detailed explanation of the fees being sought. As the Creditor has failed to

provided a specific breakdown, Debtor and Debtor's Counsel reasonably believe Creditor may be seeking to recoup attorney fees related to the representation of the Creditor in the foreclosure proceedings which is not allowed in this District.

Debtor requests the Creditor provide the Trustee, the Court, and Debtor's Counsel an itemization of the specific categories of charges contained in the \$13,037.63.

WHEREFORE, debtor(s) request(s) that the claim of creditor be disallowed in the amount of \$13,037.63.

Respectfully submitted,

/s/Brian D. Flick, Esq.

Brian D. Flick, Esq. 0081605

DannLaw

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Attorneys for Debtor

NOTICE

Debtor has filed papers with the Court Objecting to the Claim filed by Creditor Wilmington Savings Bank, F.S.B. D/B/A/Christiana Trust as Trustee for Residential Credit Opportunities Trust V.

YOUR RIGHTS MAY BE AFFECTED. YOU SHOULD READ THESE PAPERS CAREFULLY AND DISCUSS THEM WITH YOUR ATTORNEY, IF YOU HAVE ONE IN THIS BANKRUPTCY CASE. (IF YOU DO NOT HAVE AN ATTORNEY, YOU MAY WISH TO CONSULT ONE.)

If you do not want the Court to grant the relief sought in the Motion or if you want the Court to consider your views on the Motion then on or before thirty days from the date of service of this Motion and Notice, you or your attorney must file with the Court a memorandum in opposition to the Motion and a written request for a hearing at:

Office of the Clerk
United States Bankruptcy Court
22 East Fourth Street, Suite 800
Cincinnati, OH 45202

OR your attorney must file a response using the Court's ECF System. If you mail your response to the Court for filing, you must mail it early enough so that the Court will receive it on or before the date stated above. You must also mail a copy to:

Brian D. Flick, Esq.	Margaret A. Burks	Office of the US Trustee
PO Box 6031040	Chapter 13 Trustee	36 E. Seventh Street
Cleveland, OH 44103	600 Vine Street, Suite 2200	Cincinnati, OH 45202
Attorney for Debtors	Cincinnati, OH 45202	

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Objection and may enter an order granting the relief.

Dated: January 15, 2019

/s/Brian D. Flick, Esq.

Brian D. Flick, Esq. #0081605

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Objection to Claim was served (i) **electronically** on the date of filing through the court's ECF System on all ECF participants registered in this case at the email address registered with the court and (ii) by **certified U.S. Mail on January 15, 2019 addressed to:**

Wilmington Savings Fund Society, F.S.B. as Trustee for Residential Credit Opportunities Trust
V
% CORPORATION SERVICE COMPANY, Registered Agent
50 WEST BROAD STREET
SUITE 1330
COLUMBUS OH 43215

Wilmington Savings Fund Society, F.S.B. as Trustee for Residential Credit Opportunities Trust
V
Attn: Rodger Levinson, President
500 Delaware Avenue
Wilmington, Delaware 19801

FCI Lender Services, Inc.
% COGENCY GLOBAL INC., Registered Agent
3958-D BROWN PARK DRIVE
HILLIARD OH 43026

and (iii) by **ordinary U.S. Mail** on January 15, 2019 addressed to:

John Albers
6478 Manila Road
Goshen, OH 45122

Kristen A. Zilberstein
The Law Office of Michelle Ghidotti
1920 Old Tustin Avenue
Santa Ana, CA 92705

AMIP Management
3020 Old Ranch Parkway, Suite 180
Seal Beach, CA 90740

Wilmington Savings Bank, F.S.B. D/B/A/
Christiana Trust as Trustee for Residential Credit Opportunities Trust V
8180 East Kaise Road
Anaheim, CA 92808

/s/Brian D. Flick, Esq.
Brian D. Flick, Esq. 0081605
DannLaw
Attorney for Debtor(s)